

Application No. 10/010,633
Amendment dated June 18, 2007
Reply to Office Action of March 21, 2007

Docket No.: 013743.0101PTUS

REMARKS

Claims 16, 17, 20 – 31, 33, 35 – 39, 41 – 45, 48, 49, and 51 are pending in this application. Applicants thank the Examiner for the allowance of claims 26 – 30.

We respectfully note that this application was amended on September 7, 2004 to include only claims which were indicated to be allowable in an Office Action dated June 8, 2004, and a second action was not issued until March 21, 2007, which Office Action withdrew the allowance. We have amended the application to avoid the currently cited references, and, so as not to create further questions that would delay the issuance of the application, we have not revised the claims to undo the amendments made in September 7, 2004, though we believe that, if the amendments made herein had been made to the original claims, the claims would have been allowable. Since the amendments made on September 7, 2004 were only made to obtain rapid allowance, and that did not happen, Applicants reserve the right to undo the amendments made in September 7, 2004 at a future time if further responses need to be made in this application.

Because of the long delay in the USPTO, we respectfully request expedited processing, such as a phone call to enable us to rapidly move this application forward if for some reason the application as amended is not seen to be in condition for allowance.

In a Non-Final Office Action mailed March 21, 2007, claims 16, 17, 20, 22, 23, 31, 35, 37, 38, 43, and 44 have been rejected under 35 USC 102(e) as being anticipated by McPhillips (US Patent No. 6,616,890, hereinafter "McPhillips"). Claims 16, 24, and 31 have been amended to indicate that the ceramic material is amorphous. This is not new matter, as it is disclosed in the application at page 4, line 17, and elsewhere in the application. McPhillips only discloses a crystalline silicon carbide ceramic. See column 3, lines 3 – 12; column 5, line 39 – column 6, line 38. Also, it is well-known that silicon carbide is crystalline. See, for example, Wikipedia, the free encyclopedia, Silicon Carbide. Thus, McPhillips does not anticipate claims 16, 24, and 31. Claims 17, 20, 22, and 23 depend on claim 16, while claims 35, 37, 38, 43, and 44 depend on claim 31 and, therefore, are patentable. *In re Fine*, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988) at headnote 4.

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Claims 31, 41, and 42 have been rejected under 35 USC 102(b) as being anticipated by Boos et al. (US Patent No. 4,205,363, hereinafter "Boos"). This rejection is respectfully traversed. See column 7, line 9, and the Wikipedia citation above. Thus, claim 31 is not anticipated by Boos. Claims 41 and 42 depend on claim 31 and, therefore, are patentable. *In re Fine*, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988) at headnote 4.

Claims 35, 37, and 38 have been rejected under 35 USC 102(b) as being anticipated by Boos, as evidenced by Shaffer et al. (US Patent No. 6,328,913, hereinafter "Shaffer"). This rejection is respectfully traversed. Both Boos and Shaffer disclose silicon carbide crystals. See column 10, lines 9 – 19, and the Wikipedia citation above. Thus, claims 35, 37, and 38, which depend on claim 31, are patentable since one key limitation in these claims is not shown or suggested in either reference.

Claims 21, 36, 41, 42, and 45 have been rejected under 35 USC 103(a) as being unpatentable over McPhillips. This rejection is respectfully traversed for the reasons given above.

Claims 24 and 39 have been rejected under 35 USC 103(a) as being unpatentable over McPhillips in view of Boos. This rejection is respectfully traversed for the reason that the limitation of a ceramic that is amorphous is not disclosed or suggested in either McPhillips or Boos.

Claims 25 and 33 have been rejected under 35 USC 103(a) as being unpatentable over McPhillips in view of Koshkarian et al. (US Patent No. 5,578,349, hereinafter "Koshkarian"). This rejection is respectfully traversed. All the materials coated in Koshkarian are crystalline. Both claims 25 and 33 depend on a claim including the amorphous limitation and, thus, are patentable because they include a limitation not disclosed in either reference.

Claim 33 has been rejected under 35 USC 103(a) as being unpatentable over Boos in view of Koshkarian. This rejection is respectfully traversed for the reasons given above.

Claim 36 has been rejected under 35 USC 103(a) as being unpatentable over Boos, as evidenced by Shaffer. This rejection is respectfully traversed for the reasons given above.

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Claims 39 and 43 – 45 have been rejected under 35 USC 103(a) as being unpatentable over Boos. This rejection is respectfully traversed for the reasons given above.

Claims 48 and 49 have been rejected under 35 USC 103(a) as being unpatentable over Willkens et al. (US Patent No. 6,474,492, hereinafter "Willkens"), in view of Côté et al. (US Patent No. 6,195,247, hereinafter "Côté"). This rejection is respectfully traversed. Claim 48 specifically recites an array of glow plugs. A glow plug is an apparatus known in the art. See Wikipedia. The igniters of Willkens are not glow plugs. An array of glow plugs is not disclosed or suggested under the art of either Willkens or Côté or the combination of the two. In fact, an array of glow plugs would be impossible to make with the art disclosed in these references. It is only with the techniques disclosed in the present application that an array of glow plugs could be made. Thus, any rejection based on Willkens and Côté necessarily incorporates the teachings of the present invention, which is improper. MPEP 2145X.A.

Claim 51 has been rejected under 35 USC 103(a) as being unpatentable over Willkens in view of Côté as applied to claim 48 above, and further in view of Frus (US Patent No. 5,155,437, hereinafter "Frus"). This rejection is respectfully traversed. Frus does not describe how to make an array of glow plugs either, so it cannot make claim 48 obvious. Since claim 51 depends on claim 48 and includes all its limitations, claim 51 is patentable. *In re Fine*, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988) at headnote 4.

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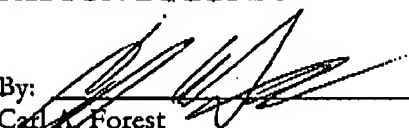
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In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-1848, under Order No. 013743.0101PTUS from which the undersigned is authorized to draw.

Respectfully submitted,
PATTON BOGGS LLP

Dated: June 19, 2007

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